



January 14, 2004

Mr. Anthony Cinque
Case Manager
New Jersey Department of Environmental Protection (NJDEP)
Bureau of Federal Case Management
Division of Responsible Site Party Remediation

Subject: L.E. Carpenter & Company (LEC) ~ NJD002168748
Revised Site Schedule for Lead and Source Area Remediation (Version 4)

Dear Mr. Cinque:

We have received your letter dated December 23, 2003 regarding withdrawal of the Lead Soil Focused Feasibility Study (FFS) and regulatory comments associated with the FFS on December 30, 2003. As outlined in your letter and as we discussed by telephone earlier today, LEC understands that NJDEP wants to expedite the process for completing the necessary remedial action work plan (RAWP) so that remedial action can begin at the site no later than the summer of 2004. In fact, LEC and RMT share NJDEP's desire to begin the implementation of the remedial action this year. However, we believe there are a number of very good reasons why the schedule for completion of the RAWP should not artificially be constrained to a 60-day time frame. Our justification for altering the completion time frame for the RAWP is detailed as follows:

1. As discussed last year, NJDEP had indicated that conducting a Field Test to evaluate remedial constructability, waste stream manipulation and profiling would require the preparation of a workplan outlining the test measures and data objectives. NJDEP also expressed an interest in being present during the test to witness potential field conditions first hand and provide input with respect to RAWP preparation, engineering and field implementation. Given the time of year and the coordination required to conduct this test, we do not believe that it is possible to have a plan prepared, reviewed, completed and results incorporated into the RAWP between now and February 28, 2004 (60-days after receipt of the December 23, 2003 letter).
2. Results from the Field Test (constructability field study and waste-stream analysis) should be included in the RAWP. The attached schedule shows the current anticipated start and finish dates for performance of this work (1/14/04 to 2/22/04). Besides logistics associated with Field Test workplan preparation, regulatory approval, and mobilization, other portions of this project element will require significant turnaround time. Specifically, obtaining the waste profiles and waste disposal acceptability agreements from potential treatment storage and disposal (TSD) facilities requires a standard 60-day turnaround time. We propose to expedite this process in 45-days utilizing existing contractual agreements and relationships with various TSDs. Waste-augmentation requirements necessary to stabilize residual liquids potentially remaining in the drained Category D soils, and evaluation of waste-to-air volatilization issues including collection



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and testing of on-site air samples during the Field Test are all proposed for inclusion in the RAWP and are all considered critical to and effective remedial action.

3. Discussions with the Borough of Wharton (as well as development of local resources) will need to occur in order to specify details and potential development synergies regarding the type, availability and cost of backfill materials proposed in the RAWP. We anticipate that any agreements and details derived from these discussions would likely not be finalized within a 60-day timeframe.
4. Initiation of the remedial project in late summer August 2004 requires NJDEP and United States Environmental Protection Agency (USEPA) to perform their associated reviews of all documents within the proposed timeline outlined on the attached schedule.
5. Completion of the Stage 1B Archeological Survey and Wetland Delineation cannot be performed during the winter months due to visibility (snow cover), access, and plant dormancy issues. As such these two RAWP tasks would have to be completed as addendums to the RAWP in order to meet the 60-day schedule NJDEP requested. The initial project schedule attached to the Lead Soil FFS Withdrawal letter dated December 9, 2003 proposed RAWP preparation between January 1, 2004 and April 30, 2004 (120 days) because RMT understood from comments and conversation that NJDEP and USEPA wanted these two surveys performed and results provided as part of the RAWP. We believe that inclusion of this information in the RAWP enhances the technical value of the RAWP. It also eliminates the need to spend time and effort preparing a revision to the RAWP and reviewing such a revision. The attached schedule accounts for inclusion of these tasks into the RAWP.
6. The schedule assumes that regulatory comments regarding the RAWP, the Stage 1B Archeological Survey, and Wetland Delineation will not be overly extensive. As outlined in the attached schedule, a thirty (30) day response to comments period is proposed. If regulatory comments are extensive and involve complex modifications to the above-mentioned documents and/or strategy meetings with the regulators, LEC reserves the right to extend the comment response period and subsequently the remedial mobilization date.
7. LEC anticipates that vapor suppression may be required during free product smear zone excavation, draining and accumulation. Performing this scope of work during the hotter summer months will only exacerbate this volatilization problem and increase the overall project cost as a result of increased health and safety requirements for field personnel.
8. The remedial action activities will likely be a source of curiosity to the local residents. As such, we believe that commencing construction in the late summer or early fall (especially after school has started) will minimize the opportunities by local residents to attempt to gain access to the site. From a health and safety standpoint, we believe that this is a prudent course of action. Plus the nature of the remedial activities is such that they should not be impacted by normal weather conditions that would be expected at this time of year.

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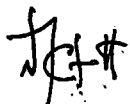
While it is possible to complete a RAWP within the proposed 60-day time frame, it is our belief that the plan would have to be very generic and would lack sound technical information. If such a plan were submitted to NJDEP and USEPA, your review comments would, by necessity, have to be significant because of this lack of detail. We would have to spend a significant amount of time responding to your comments and amending the RAWP as new technical information became available (i.e., field test, archeological study, wetlands mitigation study, etc.). Our intention in asking for 120 days to prepare the RAWP is solely to make the most effective use of our time preparing the plan and your time spent reviewing the plan, while still initiating the remedial action in 2004.

Finally, in response to other regulatory comments presented in the December 23, 2003 letter, LEC provides the following point of clarification. As previously discussed during our October 7, 2003 meeting and as outlined in previous reports and correspondence, the light nonaqueous-phase liquids (LNAPL) remediation will be performed concurrently with the lead soil removal. Details regarding each of these remedial actions will be provided in the RAWP. In addition, as shown on the revised schedule the remedial project is proposed for initiation at the end of August 2004.

We appreciate your consideration of the issues raised in this letter. Our sole intent is to make the most effective use of everyone's time. If you have any questions regarding this letter or the attached schedule, please contact me at your convenience.

Sincerely,

RMT, Inc., Michigan



Nicholas J. Clevett
Project Manager

Attachments: Revised Remedial Schedule (Version 4)

cc: Mayor Chegwidde, Borough of Wharton
Jon Rheinhardt, Administrator/CFO, Borough of Wharton
Stephen Cipot, USEPA
Cris Anderson, LEC
John Scagnelli, Scarinci & Hollenbeck
Dan Oman, RMT
Jim Dexter, RMT
Drew Diefendorf, RMT
Walter Kurzeja, RMT
Central Files

L. E. Carpenter & Company ~ NJD002168748
SITE SCHEDULE FOR LEAD AND SOURCE AREA REMEDIATION (Version 4)

